



Special Education Advisory Committee
Policy Subcommittee

FY 2022 Budget Concerns and Recommendations
Summary
February 3, 2021

Prepared For:
SEAC Membership
Special Education Community
Loudoun County School Board

Summary of Concerns and Recommendations

Concern 1: The Proposed Budget does not contain *sufficient resources* for the expansion in the budget to include summer learning opportunities and recovery and compensatory services. Add additional funding and/or reallocate current resources to provide recovery/compensatory services.

Concern 2: The Proposed Budget adds more supervisory positions instead of expanding direct services and programs for students.

Concern 3: Career and transition services, post-graduation programs are a perennial SEAC concern and were a concern of the Ad-Hoc Committee on Special Education. No specific funding was identified in the budget.

Recommendation 1: Add Special Education Teachers and Teaching Assistants (SEAC Annual Report recommendation 2).

Recommendation 2: Add related service provider FTE for an Orientation and Mobility specialist.

Recommendation 3: Remove the proposed addition of supervisory staff (Special Education Supervisor, SPED Deans) (Ad Hoc Committee on Special Education Recommendation 7).

Recommendation 4: Add budget for training for Special Education substitute teachers and substitute teaching assistants (Ad Hoc Committee on Special Education Recommendation 12).

Recommendation 5: Add regional facilities, contract, and transportation costs to build fully formed programs to address long-standing concerns with transition and post-LCPS life. (Ad Hoc Committee on Special Education Recommendation 9; SEAC Annual Report recommendation 5)

1. Concerns

Concern 1: The Proposed Budget does not contain *sufficient resources* for the expansion in the budget to include summer learning opportunities and recovery and compensatory services. Add additional funding and/or reallocate current resources to provide recovery/compensatory services.

The U.S. Department of Education and the VDOE have officially taken the position that the Free Appropriate Public Education (FAPE) obligations under the IDEA will not be waived and school systems are expected to find creative ways to continue to deliver FAPE.

The body of IDEA law obligates school systems to provide “compensatory education” to make students whole for denial of FAPE.

The VDOE has issued guidance that school systems should provide “recovery services” for students with disabilities to make them whole for COVID pandemic losses.

The proposed Special Education budget contains a statement, “\$75,000 is a new request to support expanded summer school.” This appears to be the only item in the budget proposal that could provide additional services for this purpose. Other increases are routine spending increases such as proportional to staffing standard or reconciling with previous year actual spending.

SEAC has received numerous reports of students who have not received any educational services since March of 2020 denying them equal access to public education. Of those who have been able to access some educational services many have made little educational progress and have significantly regressed more than their general education peers due to the limitations placed on provision of or the lack of special education supports and services.

It is unclear how the dollar equivalent of about 0.5FTE worth of staff could make over 9,180 students whole for their educational losses and regression over the course of five quarters of pandemic.

LCPS staff have publicly stated that IEP teams will be “empowered” to make individualized decisions about how to make students whole and remediate lost education. IEP Teams cannot offer or provide students with services to make them whole when the budget and resources for those services do not exist.

SEAC is concerned the staff’s budget request is insufficient to provide the level of resources that will be necessary to meet LCPS’s obligations to educate disabled students.

Concern 2: The Proposed Budget adds additional supervisory positions instead of expanding direct services and programs for students.

Prior to the current pandemic circumstances, SEAC was concerned that the Department of Special Education was continually expanding non-teaching positions while increasing student to teacher ratio thereby overwhelming special education staff and underserving students.

SEAC and the School Board have received numerous reports that teachers and aides are working harder than ever due to the current pandemic circumstances and distance/hybrid learning. We all greatly appreciate the efforts of those staff who directly serve our students.

SEAC has received numerous reports of **major** cuts to IEP services during the pandemic as well as failure to implement IEP services.

SEAC has received numerous reports of students who have not received any educational services since March of 2020 denying them equal access to public education. Of those who have been able to access some educational services many have made little educational progress and have significantly regressed more than their general education peers due to the limitations placed on provision of or the lack of special education supports and services.

SEAC is concerned that LCPS has a severe shortage of staff who provide direct special education services that educate our students with disabilities, and that shortage is directly leading to failures to educate our most vulnerable students.

Staff continue to misrepresent a related recommendation from the Ad-Hoc Committee on Special Education:

“Develop a staffing standard to hire special education deans to support expanded specialized programs at the middle school and elementary school levels.”

The recommendation was to, “[d]evelop a staffing standard,” in order to have a further discussion with real numbers, **not** to immediately make those hires. Despite SEAC pointing this out, and despite the School Board removing this item from the FY21, staff continue to put forth this request.

Concern 3: Career and transition services, post-graduation programs are a perennial SEAC concern and were a concern of the Ad Hoc Committee on Special Education.

The purpose of Special Education 20 U.S.C. § 1400(d) is to ensure that children with disabilities have available to them provide a Free Appropriate Public Education that emphasizes special education and related services designed to meet their unique needs and **prepare them for further education, employment and independent living**. The result of an LCPS education should be a person who is able to obtain the skills necessary for employment, live as independently as possible, and make meaningful contributions to society.

The U.S. Bureau of Labor and Statistics reported in 2019, 19.3 percent of persons with a disability were employed. In contrast, the employment-population ratio for persons without a disability was 66.3 percent. Building independence in living skills, workplace readiness and job training are the culmination of early education, what students and parents are striving for. This grim statistic indicates a continuing need to build upon the early intervention services to maximize the outcomes of their education to prepare our students to exit LCPS with the skills they need to be productive in their communities.

Transition services are life- and career- skill training programs to specifically address preparing special education students for living and employment. The level and quality of these programs can make the difference between a productive member of society and a person who is totally dependent on social services. SEAC has recommended for the past several years to expand our transition programs to have regional or cluster-based programs that can provide authentic independent living and job skill development. Like all education, these services are an investment in people; when done right, they have a very high rate of return.

There is a significant need for independent living skills, workplace readiness, and job training for our LCPS students with disabilities that are not college bound. Despite reports of having 250 business partnerships for our CII programs, many of these programs do not have LCPS students in them and their situational time, training and work is severely limited by several factors. Transportation has been a long- standing barrier for our students to gain the independent living skills, workplace readiness, and job training they need to enter the workforce.

2. Recommendations

Recommendation 1: Add Special Education Teachers and Teaching Assistants.

See Concern 1.

SEAC is concerned that LCPS has a severe shortage of staff who provide direct services that educate our students with disabilities, and that shortage is directly leading to failures to educate our children.

Recommendation 2: Add related service provider FTE for an Orientation and Mobility specialist.

SEAC has received reports that LCPS staff inexplicably cut this position and that students who require this service are not getting their needs met.

Recommendation 3: Remove the proposed addition of supervisory staff (1.0 FTE Special Education Supervisor, 20.5 FTE Deans)

See Concern 2.

Funds for these supervisory positions could be reallocated to help fund Recommendation 1. Staff's proposed budgets keep adding supervisory positions instead of direct service positions.

SEAC believes that students and teachers would directly benefit from additional direct service providers rather than additional supervisors.

Recommendation 4: Add budget for training for Special Education substitute teachers and substitute teaching assistants.

In the FY21 proposed budget, SEAC was unable to find a budget for this initiative, though staff claimed to the school board that their request contained \$50,000 for this purpose.

In FY21, SEAC has received reports that this training is not happening.

SEAC is once again unable to find a budget for this initiative.

The school board should take all necessary steps to ensure that SPED substitutes and substitute teaching assistants are properly trained before working with students with disabilities.

Recommendation 5: Add facility, contract, and transportation costs to build fully formed programs to address long-standing concerns with transition and post-LCPS life.

See Concern 3.

The Task Force is concerned that the Superintendent's budget fails to propose all of the budget items we believe are necessary for fully formed transition programs that would be successful.

There is no budget for or mention of facilities, there are no contracted services, and there are no costs for transportation.

The proposed budget does not expand independent living and job skill preparation programs with the same restrictions that currently impact students.

These additions, along with other program changes that can be made outside of the budget, could result in fully formed transition programs that will begin to meet the needs of our special education students.